



**Yellowstone County Zoning Commission
Minutes for the Meeting of
Monday, September 12, 2016**

The County Zoning Commission met on Monday, September 12, 2016 in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North at 4:00 p.m. The Board of County Commissioners public hearing will be held on Tuesday, September 27, 2016, at 9:45 a.m. in Room 403A, 4th Floor of the Yellowstone County Courthouse. The County Commissioners may, by majority vote, accept or reject the Zoning Commission’s recommendation. The Board of County Commissioners will hear all persons wishing to speak relative to the zone change.

At 4:00 p.m., Proteome Chairman Ryan Wittman opened the meeting and introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator; Tammy Deines, Planning Clerk

Commissioners and Staff		01-11-2016	02-08-2016	02-12-2016	03-14-2016	04-11-2016	05-09-2016	06-13-2016	09-12-2016						
Jerry T. Ray	Commissioner	-	1	1	-	1	1	E	1						
Troy Boucher	Commissioner Vice Chairman	-	1	1	-	1	1	1	1						
Ryan Wittman	Commissioner Chairman		1	1	-	1	1	1	1						
Vacancy															
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Attending: John R. Christensen, Brian Kelleher, Tyler Dugger, Ken Toliver, Dave Kinnard

Public Comment

Chairman Witman asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public can be heard on any subject is not on the agenda; the Yellowstone County Zoning Commission will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion. There was none.

Disclosure of Conflict of Interest or exparte communication: There was none.

Disclosure of Outside Communication. There was none.

Approval of Minutes: June 13, 2016

Motion

Commissioner Boucher made a motion and it was seconded by Commissioner Ray to approve the June 13, 2016 meeting minutes as submitted. The motion carried with a unanimous voice vote.

1-APPROVED



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Public Hearings:

REQUEST

County Zone Change #676 – West of Logan Airport – Highway 3 – A zone change request from Agriculture-Open Space (A-1) to Highway Commercial (HC) on the south 600 feet of C/S 2037 Tracts 13 & 14, a 20 acre parcel of land. A pre-application meeting was held at the Tolliver Law Firm, 1004 Division St, on July 21, 2016. Tax IDs: D04575L & D04575M.

Zoning Coordinator Nicole Cromwell explained this request is the result between the property and a group of property owners who filed litigation following the submittal and hearings for Yellowstone County Zone Change #669. This application was submitted to finalize the intended zoning and use of the 20 acres with frontage on Highway 3 that remained in the A-1 zoning.

RECOMMENDATION

The Planning Division recommends approval and adoption of the findings of the review criteria for Zone Change #676.

Discussion

Proteome Chairman Wittman called for questions and discussion from the Zoning Commission. Commissioner Ray asked if both parties have worked out terms and agreement.

Mr. Christianson said the expectation is to dismiss the lawsuit and this proposal is an integral part of the agreement. Per Commissioner Rays request, Nicole Cromwell explained the intent of this zone change request.

Public Hearing

Proteome Chairman Wittman opened the public hearing at 4:10 p.m. and called for proponents or opponents of Yellowstone County Zone Change #676.

Opponents: There were no opponents to Yellowstone County Zone Change #676.

Proponents

Ken Tolliver, P.O. Box 1913, Billings, Montana

Mr. Toliver thanked planning staff and the Commissioners for the great amount of time spent with a highly contested issue.

At 4:12 p.m., Proteome Chairman Wittman asked if there was anyone else wanting to speak in favor or against Yellowstone County Zone Change #676. There was none. Proteome Chairman Wittman closed the public hearing and called for a motion.

Motion

Commissioner Ray made a motion and it was seconded by Commissioner Boucher to



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forward a recommendation to the Board of County Commissioners of approval of County Zone Change #676 with adoption of the Findings of the 11 review criteria.

Proteome Chairman Wittman called for a vote on the motion.

Name	Favor	Against	Abstain	Absent
Proteome Chairman Wittman	X			
Commissioner Boucher	X			
Commissioner Ray	X			

The motion carries, 3-0.

Other Business/Announcements

- A. **Elections:** Commissioner Dennis Cook and Commissioner Al Littler have resigned their positions.

Motion

Commissioner Ray made a motion and Commissioner Boucher seconded the motion to have Commissioner Ryan Wittman serve as Zoning Commission Chairman and Commissioner Troy Boucher serve as Yellowstone County Zoning Commission Vice Chairman.

Name	Favor	Against	Abstain	Absent
Proteome Chairman Wittman	X			
Commissioner Boucher	X			
Commissioner Ray	X			

The motion carries, 3-0.

- B. **There will be no meeting in October. The next County Zoning Commission meeting will be held November 14, 2016.**

Adjournment: The meeting adjourned at 4:25 p.m.

- C. **APPROVED BY A MOTION: Monday, February 13, 2017**

